

MINUTES
ZONING BOARD OF APPEALS
FEBRUARY 13, 2007

Location: Conference Room, 2 Fairgrounds Road, Nantucket, MA
Call to Order: 1:10 PM
Members Present: Nancy Sevens, Dale Waine, Kerim Koseatac (arrived at 1:05 PM)
Alternates Present: Burr Tupper (arrived at 1:10 PM)
Absent: Michael O'Mara, Edward Toole, David Wiley
Staff: Linda Williams, Administrator
Department Staff: None

Note: This meeting was originally noticed for 1:00 PM, Friday, February 9, 2007. It was cancelled and moved to this date and time due to the lack of a quorum on the original date, with O'Mara, Toole, Koseatac and Wiley being off Island.

OLD BUSINESS APPLICATIONS:

1. OFFSHORE BEACHSIDE LIMITED PARTNERSHIP, (087-06), 30 NORTH BEACH STREET:

Sitting: Sevens, Waine, Koseatac, Tupper

Planning Board Rec.: NA

Public Comment: NA

Representing: Attorney Marianne Hanley for the Applicant

Discussion: Hanley explained that the Applicant had received a prior grant of Special Permit relief in December 2005 in BOA File No. 091-05 to convert a portion of an existing ancillary maintenance building on the south side of the property to use as a dwelling unit that would house hotel employees. One of the conditions in that Decision was that the maximum number of bedrooms was to be seven, with a maximum occupancy of 14. Code compliance issues were raised by the Building Commissioner and the Applicant sought and received a grant of a modification in the Decision in BOA File No. 087-06 to construct a new separate residential structure that would abide by all of the previously required conditions. Unbeknownst to the Applicant's representatives at the time, there were eight bedrooms shown on the HDC approved plans that were referenced in the most recent Decision rather than seven. Applicant asked to clarify the condition in the Decision to allow eight bedrooms to be consistent with the other condition related to HDC compliance. Hanley stated that no other changes were sought and the maximum number of occupants would remain 14.

Action/Vote: IT WAS VOTED TO GRANT THE REQUESTED CLARIFICATION OF THE DECISION IN BOA FILE NO. 087-06, TO ALLOW A MAXIMUM NUMBER OF BEDROOMS OF EIGHT AS PROPOSED, (Waine/Koseatac).

Conditions: NA

2. MONCURE CHATFIELD-TAYLOR, (079-06), 91 WASHINGTON STREET EXTENSION:

Sitting: Sevens, Waine, Koseatac (sitting solely for the purpose of continuing the matter), Tupper

Planning Board Rec.: The Planning Board made a negative recommendation as there were issues of planning concern.

Public Comment: None at this meeting. There had been substantial comment at the first hearing.

Representing: Attorney Richard Glidden for the Applicants

Discussion: This matter had been continued without further discussion from September, October, November and December 2006 and January 2007 and now to this meeting. Glidden had sent an email asking that it be continued again without discussion to the March 16, 2007 meeting.

Action/Vote: IT WAS VOTED UNANIMOUSLY TO CONTINUE THE MATTER WITHOUT FURTHER DISCUSSION TO MARCH 16, 2007 MEETING. BY THE SAME VOTE, AN EXTENTION FOR ACTION WAS GRANTED TO APRIL 27, 2007, (Waine/Toole).

Conditions: NA

3. PRICILLA L. REIS, (085-06), 80 MIACOMET AVENUE:

Sitting: Sevens, Waine, Koseatac, Tupper

Planning Board Rec.: The Planning Board made no recommendation as there were no issues of planning concern.

Public Comment: None

Representing: Attorneys Arthur Reade and Steven Cohen for the Applicant

Discussion: The matter had been continued without opening from the October, November and December 2006 and January 2007 meetings and then to this meeting. There were ongoing discussions taking place with the ZEO that may resolve the issue. Cohen had sent an email asking that the matter be continued without opening to the March 16, 2007 meeting.

Action/Vote: IT WAS VOTED UNANIMOUSLY TO CONTINUE THE MATTER WITHOUT OPENING TO MARCH 16, 2007 MEETING. BY THE SAME VOTE, AN EXTENTION FOR ACTION WAS GRANTED TO APRIL 27, 2007, (Koseatac/Tupper).

Conditions: NA

4. OLD NORTH WHARF COOPERATIVE, INC., (003-07), 29A, 29B AND 29C OLD NORTH WHARF:

Sitting: Sevens, Waine, Koseatac, Tupper

Planning Board Rec.: The Planning Board made no recommendation due to the lack of meetings over the Christmas holiday.

Public Comment: None

Representing: Attorney Arthur Reade and Attorney Whitney Gifford for the Applicant

Discussion: The matter had been continued without opening from the January 2007 meeting. Reade had sent an email asking for the matter to be continued without opening to the March meeting.

Action/Vote: IT WAS VOTED UNANIMOUSLY TO CONTINUE THE MATTER WITHOUT OPENING TO MARCH 16, 2007 MEETING. BY THE SAME VOTE, AN EXTENTION FOR ACTION WAS GRANTED TO APRIL 27, 2007, (Waine/Koseatac).

Conditions: NA

NEW BUSINESS:

**5. DORIS J. LENNON, TRUSTEE, LIVING TRUST OF JOSEPH P LENNON
AND DORIS J. LENNON, (009-07), 2 WAYDALE ROAD:**

Sitting: Sevens, Waine, Koseatac, Tupper

Planning Board Rec.: The Planning Board made no recommendation.

Public Comment: None

Representing: Attorney Julie Fitzgerald for the Applicant

Discussion: Fitzgerald had sent an email asking for the matter to be continued without opening to the March meeting.

Action/Vote: **IT WAS VOTED UNANIMOUSLY TO CONTINUE THE MATTER
WITHOUT OPENING TO MARCH 16, 2007, (Waine/Koseatac).**

Conditions: NA

The meeting was adjourned at 1:20 PM (Waine/Koseatac)

Respectfully submitted by Linda Williams, recording staff.